

PETITION FOR SPECIAL HEARING 87-155-SPH

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the nonconforming use of a property with a two-apartment dwelling and a separate dwelling unit.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name) _____ Signature _____ Address _____ City and State _____

Legal Owner(s): (Type or Print Name) Ronald Henry Celozzi Signature Ronald Henry Celozzi Address 4509 White Marsh Rd. #4509 City and State Baltimore, Md. 21237

Attorney for Petitioner: (Type or Print Name) _____ Signature _____ Address _____ City and State _____

Attorney's Telephone No.: _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1986, at 10:15 o'clock _____ M.

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IN RE: PETITION FOR SPECIAL HEARING
NE/S of Monumental Ave., 160'
SE of the c/l of Brentwood Ave.
(1903 Monumental Avenue)
12th Election District

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-155-SPH

The Petitioners herein request a special hearing to determine whether or not approval should be granted to the non-conforming use of the subject property with a two-apartment dwelling and a separate dwelling unit.

Testimony by the previous owner indicates that his father built the single family dwelling at the rear of the property in 1919 and the two-family dwelling in 1922. The front building has always provided separate entrances and meters and, for many years, separate furnaces for the two apartments. All three living units were inhabited continuously by family or tenants until he sold the property in February 1986. The current owner has rented continuously all three living units up to the present time.

There were no Protestants.

Pursuant to the advertisement, posting and public hearing on the subject property, and after due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, granting approval of the use requested in the Petition for Special Hearing would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations (BCZR) and would not be detrimental to the health, safety and general welfare of the community.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 16th day of October 1986, that approval be granted to the non-

conforming use of the subject property with a two-apartment dwelling and a separate dwelling, and as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order.

Jan M. Jung
Deputy Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

October 16, 1986

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. & Mrs. Ronald Henry Celozzi
4509 White Marsh Road
Baltimore, Maryland 21237

RE: Petition for Special Hearing
NE/S of Monumental Avenue,
160' SE of the c/l of
Brentwood Avenue
(1903 Monumental Avenue)
12th Election District
Case No. 87-155-SPH

Dear Mr. & Mrs. Celozzi:

Enclosed please find a copy of the decision rendered in the above referenced case. Please be advised that your Petition for Special Hearing has been granted, in accordance with the enclosed Order.

If you have any further questions on the subject matter, please do not hesitate to contact this office.

Very truly yours,
Jan M. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bjs

Enclosures

cc: Peoples Counsel

ORDER RECEIVED FOR FILING
Date 10/16/86
By John J. Johnson

ORDER RECEIVED FOR FILING
Date 10/16/86
By John J. Johnson

Beginning at a point on the northeast side of Monumental Avenue (50' wide) at a distance of 160 feet southeast of the centerline of Brentwood Avenue and being lot nos 11 and 12, block G as shown on the Plat of "Fairlawn," which is recorded in the Land Records of Baltimore County in Plat book WPC No 6, Folio 100, known as 1903 Monumental Avenue in the 12th Election District.

PETITION FOR SPECIAL HEARING

12th Election District

Case No. 87-155-SPH

LOCATION: Northeast Side of Monumental Avenue, 160 feet Southeast of the Centerline of Brentwood Avenue (1903 Monumental Avenue)

DATE AND TIME: Tuesday, October 14, 1986, at 10:15 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing to approve a nonconforming use for a two-apartment dwelling and a separate dwelling unit

Being the property of Ronald Henry Celozzi, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 September 25, 1986

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of Pet. for Spec. Hrg. - P.O. #81315 - Reg. #L95711 - 82 lines @ \$32.80, was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 26th day of September 1986; that is to say, the same was inserted in the issues of Sept. 25, 1986

Kimbel Publication, Inc.
per Publisher.

By K.C. Ode

OFFICE COPY

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
NE/S of Monumental Ave., 160' : OF BALTIMORE COUNTY
SE of c/l of Brentwood Ave. :
(1903 Monumental Ave.), :
12th District :

RONALD HENRY CELOZZI, et ux, : Case No. 87-155-SPH
Petitioners :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 213, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 23rd day of September, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Ronald H. Celozzi, 4509 White Marsh Rd., Baltimore, MD 21237, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

October 6, 1986

Mr. Ronald Henry Celozzi
Mrs. Rosemarie A. Celozzi
4509 White Marsh Road
Baltimore, Maryland 21237

RE: PETITION FOR SPECIAL HEARING
NE/S of Monumental Ave., 160' SE of the c/l
of Brentwood Ave. (1903 Monumental Ave.)
12th Election District
Ronald Henry Celozzi, et ux - Petitioners
Case No. 87-155-SPH

Dear Mr. and Mrs. Celozzi:

This is to advise you that \$72.55 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing.

BALTIMORE COUNTY, MARYLAND No. 025567
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 10/14/86 ACCOUNT R-01-615-000
SIGN & POST TO BE RETURNED AMOUNT \$ 72.55
Mr. Ronald H. Celozzi, 4509 White Marsh Road, Baltimore, Md. 21237
RECEIVED FROM: ADVISORY & POSTING COSTS RE CASE #87-155-SPH
FOR B024*****725514 9148F
VALIDATION OR SIGNATURE OF CASHIER

Mr. Ronald Henry Celozzi
Mrs. Rosemarie A. Celozzi
4509 White Marsh Road
Baltimore, Maryland 21237

September 12, 1986

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING
NE/S of Monumental Ave., 160' SE of the c/l
of Brentwood Ave. (1903 Monumental Ave.)
12th Election District
Ronald Henry Celozzi, et ux - Petitioners
Case No. 87-155-SPH

TIME: 10:15 a.m.

DATE: Tuesday, October 14, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND No. 025855
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 8/14/86 ACCOUNT 01-615
AMOUNT \$ 100.00
RECEIVED FROM: RONALD CELOZZI
FOR FILING FEE FOR VARIANCE ITEM 64
B024*****1000014 3148F
VALIDATION OR SIGNATURE OF CASHIER

October 11, 1986

I, Antonio Deleopibus, the undersigned, moved into 6723 Brentwood Avenue, which is across the street from 1903 Monumental Avenue, on November 1, 1939 and I swear to the best of my knowledge that there has always been two apartments at the main house of 1903 Monumental Avenue, at least since 1943.

Antonio Deleopibus
Date 10/11/86
Notary Public
Antonio Deleopibus

Antonio Deleopibus
Notary Public
October 14, 1986
My commission expires July 1, 1990.

PETITIONER'S
EXHIBIT 2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: September 18, 1986
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petition No. 87-155-SPH, 87-156-SPH, 87-157-SPH and 87-163-SPH

In view of the subject of these petitions, this office offers no comments.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JGH:slm

RECEIVED
SEP 19 1986
ZONING OFFICE

CPS-003

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

87-155-SPH

District 12TH Date of Posting 9/12/86
Posted for: Special Hearing
Petitioner: Ronald Henry Celozzi, et ux
Location of property: NE/S of Monumental Ave., 160' SE of Brentwood Ave.
Location of Signs: 1903 Monumental Ave.
Remarks: Property of Celozzi
Posted by: [Signature] Date of return: 9/19/86
Number of Signs: 1

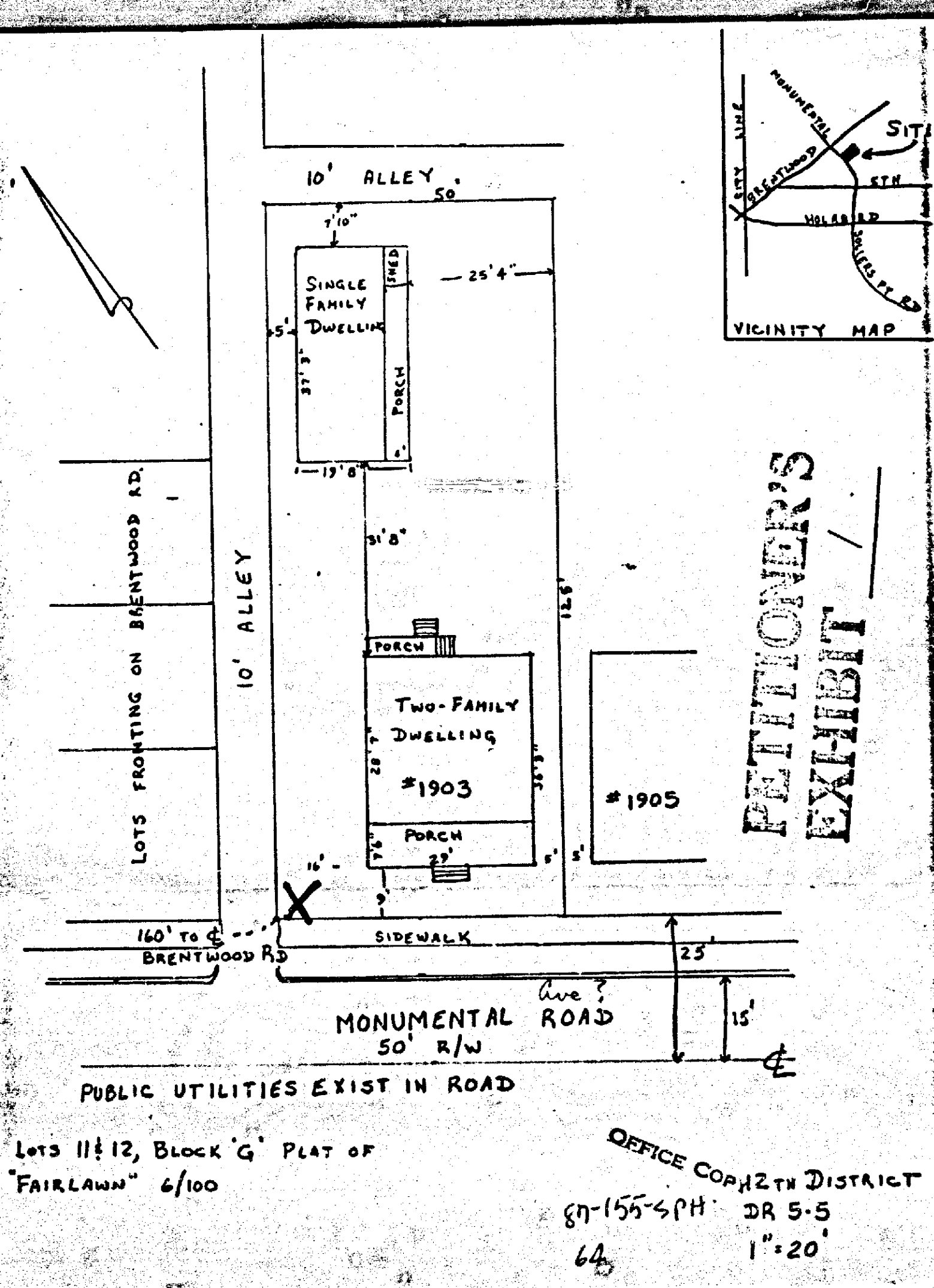
CERTIFICATE OF PUBLICATION

TOWSON, MD., September 25, 1986
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on September 25, 1986.

THE JEFFERSONIAN,

Publisher

Cost of Advertising
24.75



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 3, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Ronald Henry Celozzi
4509 White Marsh Road
Baltimore, Maryland 21237

RE: Item No. 64 - Case No. 87-155-SPH
Petitioner: Ronald Henry Celozzi, et ux
Petition for Special Hearing

Dear Mr. Celozzi:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
4th day of September, 1986.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner: Ronald Henry Celozzi, et ux Received by: James E. Dyer
Petitioner's Attorney: _____ Chairman, Zoning Plans
Advisory Committee



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

September 5, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for
items number 63, 64, 65, 66, 67, and 68.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF:lt



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3411

NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

SEPTEMBER 15, 1986

Re: Zoning Advisory Meeting of August 26, 1986
Item # 64
Property Owner: RONALD H. CELOZZI, et ux
Location: NE/S MONUMENTAL AVE.
160' SE BRENTWOOD AVE.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject
petition and offers the following comments. The items checked below are
applicable.

- (X) There are no site planning factors requiring comment.
- (X) A County Review Group Meeting is required.
- (X) A County Review Group meeting was held and the minutes will be
forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a
subdivision. The plan must show the entire tract.
- (X) A record plat will be required and must be recorded prior
to issuance of a building permit.
- (X) The access is not satisfactory.
- (X) The circulation on this site is not satisfactory.
- (X) The parking arrangement is not satisfactory.
- (X) Parking calculations must be shown on the plan.
- (X) This property contains soils which are defined as wetlands, and
development on these soils is prohibited.
- (X) Construction in or alteration of the floodplain is prohibited
under the provisions of Section 22-98 of the Development
Regulations.
- (X) Development of this site may constitute a potential conflict with
the Baltimore County Master Plan.
- (X) The amended Development Plan was approved by the Planning Board
on _____.
- (X) Landscaping: Must comply with Baltimore County Landscape Manual.
- (X) The property is located in a deficient service area as defined by
B111 178-79. No building permit may be issued until a Reserve
Capacity Use Certificate has been issued. The deficient service
is _____.
- (X) The property is located in a traffic area controlled by a "D" level
intersection as defined by B111 178-79, and as conditions change
traffic capacity may become more limited. The Basic Service Areas
are re-evaluated annually by the County Council.

(X) Additional comments:
"ANY FUTURE EXPANSION OF SITE MUST COMPLY
TO ALL APPLICABLE COUNTY REGULATIONS &
STANDARDS"

cc: James Hoswell

David Fields, Acting Chief
Current Planning and Development



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

August 21, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: Ronald H. Celozzi, et ux

Location: NE/S Monumental Avenue, 160' SE Brentwood Avenue

Item No.: 64

Zoning Agenda: Meeting of 8/26/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this
Bureau and the comments below marked with an "X" are applicable and required
to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be
located at intervals or _____ feet along an approved road in
accordance with Baltimore County Standards as published by the
Department of Public Works.

- () 2. A second means of vehicle access is required for the site.

- () 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the
Fire Prevention Code prior to occupancy or beginning of operation.

- (X) 5. The buildings and structures existing or proposed on the site shall
comply with all applicable requirements of the National Fire Protection
Association Standard No. 101 "Life Safety Code", 1976 edition prior
to occupancy.

- () 6. Site plans are approved, as drawn.

- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John F. O'Hill*
Planning Group
Special Inspection Division

Noted and
Approved: *John F. O'Hill*
Fire Prevention Bureau

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

August 27, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 64, Zoning Advisory Committee Meeting are as follows:

Property Owner: Ronald H. Celozzi, et ux
Location: NE/S Monumental Ave., 160 feet SE Brentwood Avenue, 12th.
District: 12th.

APPLICABLE CODES ARE CITED:

- (A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85;
the Maryland Code for the Handicapped and Aged (A.B.S.I. #117-1 - 1980) and other applicable Codes and Standards.

- B. A building and other miscellaneous permits shall be required before the start of any construction.

- C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a
registered in Maryland Architect or Engineer is/is not required on plans and technical data.

- D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect
or Engineer shall be required to file with a permit application. Registered seals are not acceptable.

- E. All the Group except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for
exterior walls closer than 6'-0" to an interior lot line. See the Group require a one hour wall if closer
wall. See Table 101, Section 102, Section 104.2 and Table 102. No openings are permitted in an
exterior wall within 3'-0" of an interior lot line.

- F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested
variance by this office cannot be considered until the necessary data pertaining to height/area and
construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

- G. The requested variance appears to conflict with Section(s) _____ of the Baltimore
County Building Code.

- H. When filing for a required Change of Use/occupancy Permit, an alternate permit application shall also
be filed along with three sets of acceptable construction plans indicating how the existing structure is
to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or
Engineer seals are usually required. The change of Use Group are from Use _____ to Use _____ or
to Mixed Use _____ See Section 312 of the Building Code.

- I. The proposed project appears to be located in a Flood Plain, Flood/Hurricane. Please see the attached
copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct
elevation above sea level for the lot and the finish floor levels including basement.

- (J) Comments: Section 103.1 would be applicable (Bill #17-85).

- K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office
of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired
the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111
W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Dunham
Mr. C. E. Dunham, Chief
Building Plans Review

LJZ/RS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James Dyer

Date: September 5, 1986

FROM: James Thompson

Item # 64

SUBJECT: Ronald Celozzi

Please note that the above petition is an active violation
case, C-86-1353, 1903 Monumental Avenue.

JT/lr

CPS-008